

**BOROUGH OF ROCKY HILL  
COUNCIL MINUTES  
APRIL 17, 2006**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor George Morren at 7:34 PM. Mayor Morren led the Pledge of Allegiance to the Flag followed by a moment of silent meditation. Mayor Morren stated that the meeting has been properly advertised in the December 17, 2005, issue of the Somerset Messenger Gazette and is being held in accordance with the Open Public Meetings Act.

Roll Call: Mr. Brian Griner-present, Mr. Brad Merritt-present, Ms. Eileen Uhrik, Mr. Edward Zimmerman-present.

Absent: Mr. Richard Batchelder, Mr. Jared Witt

Also present: Borough Clerk Raymond Whitlock, Borough Attorney Albert Cruz

**APPROVAL OF MINUTES**

Regular Minutes – April 3, 2006 - Motion to approve the regular minutes was made by Zimmerman with a second by Merritt. Motion carried on roll call vote – all ayes.

**PUBLIC COMMENTS**

Marge Yuschak, 55 Washington St., reported a pothole in front of her house which was noted by Ms. Uhrik; on behalf of the Community Group, Ms. Yuschak requested permission for access to VanHorne Park for clean-up in observance of Earth Day. Mr. Merritt will make arrangements to have the park open. Ms. Yuschak also reported vandalism at VanHorne Park, i.e. spray painting on one of the park signs and the floor of the gazebo and barrels that have been blown over. Contact will be made with the NJSP regarding the vandalism and with the contractor about the barrels. It was suggested that a key to the park be provided to the NJSP.

Cliff Moore, resident, questioned whether any information has been received from the Governor regarding costs that may be incurred for State Police coverage. Mr. Moore was advised that no information has been received to date.

Courtney White, resident, inquired as to the hearing status of the WAWA application before the Montgomery Township Committee. Mayor Morren advised that he was informed that the matter was not on the upcoming meeting agenda. Councilman Griner advised that a work session is scheduled on Wednesday evening, and he will be attending that session.

Hearing no other comments/questions, the floor was closed to the public.

**STATE POLICE REPORT** – None presented at this time.

**TAX COLLECTOR'S REPORT** – Report for March was received and distributed.

**APPROVAL OF VOUCHERS/BILL LIST**

**Resolution**

WHEREAS, the Treasurer has certified that sufficient funds are available to pay said vouchers, BE IT, THEREFORE, RESOLVED, that the following vouchers be approved for payment. Motion to approve the resolution was made by Merritt with a second by Zimmerman. Motion carried on roll call vote – all ayes. (See Appendix 1 for Bill List).

**SPECIAL BUSINESS:**

**Resolution/Interlocal Agreement with South Bound Brook Borough for Police Services.**

Chief Robert Verry of the South Bound Brook Police Department appeared before Council. Attorney Cruz noted key areas of the contract relating to services and duties, level of coverage, Borough towing ordinance provisions, and Schedules A & B containing hourly rates/municipal court charges.

In response to questioning by Councilman Merritt regarding how the services provided can be evaluated by the Borough, Chief Verry advised that he will provide daily and/or monthly reports as deemed necessary by Council (this provision is outlined in the agreement). In regard to the ongoing investigation regarding an incident involving a SBB police officer while on patrol in Rocky Hill, Chief Verry advised that the matter has been turned over to the Prosecutor's Office. Chief Verry also addressed further questioning regarding how matters are/will be handled by his officers while on duty within the Borough by summarizing the standard operating procedures of his department. Chief Verry indicated that his officers will respond to Borough emergencies while on patrol in the Borough (although their primary function is traffic enforcement), administer the proper assistance, and hold down the scene until the arrival of the NJ State Police.

It was agreed that Chief Verry will clarify with the NJSP and the County as to the procedure to be followed to ensure that both the County and the State Police communications centers are aware of their presence while on patrol within the Borough.

**Public Comment:**

Mark Germaine, 15 Washington St. – emphasized the importance of the residents’ knowing that a South Bound Brook police officer (while on patrol within the Borough) will respond to any crime in progress; Mr. Germaine also questioned whether there are any provisions in the SBB agreement that would enable them to patrol VanHorne Park after dark. Mayor Morren advised that there is not, and that it is the responsibility of the NJSP. In response to Mr. Germaine’s request to mandate SBB officers to respond any and all emergency service calls while within the Borough, he was advised that the operational procedures of their department will be adhered to and officer discretion will be used on a case-by-case basis.

Courtney White, 19 Washington St., expressed her appreciation for the services provided by the South Bound Brook Police Department.

Chief Verry encouraged members of Council as well as the residents to contact him with any problems or questions that may arise providing an e-mail address as a means of contact. He will also relate the vandalism problems at the park to his midnight shift officers.

Due to the fact there are new members on Council and it was the opinion of several members of Council that adequate time to review the proposed resolution/agreement was not provided, it was agreed to carry this matter to the May 1 meeting of Council.

**Resolution – Funding Preliminary Costs of Capital Project** – Resolution was presented authorizing preliminary costs for the Fire House from the Capital Improvement Fund of the General Capital Fund. Resolution to be amended to reflect that \$7800.00 will be appropriated pending approval from Auditor Morrison (\$7500.00 was referenced in the resolution). Motion to approve was made by Zimmerman with a second by Merritt. Motion carried on roll call vote – all ayes. (Appendix #2)

**Award of Contract to Paychecks, Inc.** – Motion was made by Merritt with a second by Zimmerman to award a contract for services by way of resolution to Paychecks, Inc. for approximately \$1400.00/yr. for purposes of Borough payroll services. Motion carried on roll call vote – all ayes.

**Resolution – Award of Contract for Lawn Care Service on Borough Lands** – Motion was made by Merritt with a second by Zimmerman to extend the following contracts: John Kessler for lawn area maintenance of Borough lands in the amount \$6996.00 for the period May 1, 2006 to April 30, 2007; Maitland Van Nostrand for open field mowing in the amount of \$1200.00 for the period of May 1, 2006 to April 30, 2007. Motion carried on roll call vote – all ayes. (Appendix #3)

**Resolution – Appointment of Cross Acceptance Committee** – Based on recommendation by Planner Kimball and letter received from the Somerset County Planning Board requesting confirmation of the Borough’s Cross-Acceptance Committee for the purpose of developing growth share projections through 2015, motion was made by Griner with a second by Merritt for the appointment of Committee members to include: Charles Pihokken, Richard Batchelder, Cathy Cann, and Mayor George Morren. Motion carried on roll call vote – all ayes. (Appendix #4).

**Resolution – 2006 Salary Resolution** – Motion was made by Zimmerman with a second by Merritt to approve the 2006 salary resolution. Motion carried on roll call vote – all ayes. (Appendix #5).

**Appointment of Deputy Zoning Official** – Upon recommendation of Councilwoman Uhrík and Zoning Official Rafaelli, motion was made by Zimmerman with a second by Uhrík authorizing the Mayor’s appointment of Hugh Lynch of 21 Lemore Circle, as deputy zoning official. Mr. Lynch will be serving the Borough on a voluntary basis. Motion carried on roll call vote – all ayes. Mr. Lynch was thanked in advance for his services to the Borough.

**COMMUNICATIONS:**

Communications as listed on the agenda were discussed, disseminated and/or ordered filed.

- Letter was received from the DEP advising of the award of a \$4000.00 Clean Communities Grant to the Borough.
- Copy of letter to the South Bound Brook and Franklin Township Police Departments from Attorney Cruz requesting information about the car jacking incident in December 2005 in Franklin Township was received.
- Letter from the Governor announcing 2007 DOT Municipal Aid Programs will be referred to Engineer Tanner.
- Thank you letter from the Fontainebleau Fire Department in Mississippi was read into the record by Councilman Zimmerman.

**Other:**

**Clean Communities Grant** – Motion was made by Merritt with a second by Zimmerman for the acceptance of the grant in the amount of \$4,000.00. Motion carried on roll call vote – all ayes.

**Colavita Bike Race** – A draft contract for the race has been provided to Attorney Cruz for his review. Questions regarding the availability of fire/rescue squad personnel, parking, and restroom provisions were addressed by Councilman Zimmerman.

**UNFINISHED BUSINESS:**

**Review of Code codification – carried to next meeting.**

**Negotiations of property involving Princeton Ave. Sidewalk Project** – Mayor Morren reported on the recent negotiations agreed upon with Ms. Soika of Princeton Ave. which address issues of removal of trees and drainage. A contract will be forthcoming.

**Grants Committee** – Request was made to have this item listed on future agendas under Committee Reports. Councilman Griner requested the assistance of any interested parties willing to aid with grant writing. Councilman Griner will make contact with the County for assistance that may be available.

**Towing Ordinances** – Sample copies of towing ordinances for Hillsborough Township and Watchung Borough were provided by Attorney Cruz for Council's review as requested. Local vendors will be sought for inclusion on the Borough's list of tow agencies.

**NEW BUSINESS:**

**First Reformed Church** – Rev. Bill Schutter apprised Mayor Morren of the church's intention of seeking renovation grants and requested the Borough's support in endorsing their projects. Councilman Griner will make contact with Jeanette Muser for any information on historic preservation grants that may be available.

**Water/Sewer Utility Report** – Councilman Merritt provided a summary of the March 2006 report as provided by Superintendent Merk. It was noted that carpentry work on the well house needs to be done. Also noted was that information was received that the River Rd. sewer plant was experiencing problems which may have attributed to the recent sewer odors that have been reported. The possibility of the odor coming from grease traps will be further discussed at the upcoming Board of Health meeting.

**PUBLIC COMMENT**

Peg Merritt, resident, suggested that Montgomery Township be contacted for the purpose of obtaining information on the tow agencies used by them.

Peggy Harris, resident, suggested that the NJ League of Municipalities and local legislators be contacted by representatives of the Borough with regard to the proposed charges for State Police coverage. Mayor Morren indicated that electronic correspondence has been transmitted by him on behalf of the Borough to our local legislators. A list of the legislators and their e-mail addresses will be posted in the post office by Mayor Morren at Ms. Harris' request.

There being no public comments/questions, the floor was closed to the public.

**ADJOURNMENT:**

Motion to adjourn the meeting at 9:30 PM was made by Merritt with a second by Zimmerman.  
Motion carried on voice vote – all ayes.

Respectfully submitted:

Donna M. Griffiths  
Deputy Clerk